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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**

18 UNITED STATES <i>ex rel.</i> LALLEY, et al.,)	No. C 06-6303 CRB
19 Plaintiff,)	STIPULATION OF DISMISSAL; [PROPOSED] ORDER
20 v.)	
21 NOVARTIS VACCINES & DIAGNOSTICS)	
22 INC, et al.,)	
23 Defendants.)	

24
25 1. Under Fed. R. Civ. P. 41(a)(1), the United States of America and Plaintiffs-Relators
26 Robert Lalley, Courtney Davis, and William Manos hereby stipulate to the dismissal of this
27 action pursuant to the terms and conditions of the Settlement Agreement effective April 29,
28 2010, and a separate agreement regarding Statutory Fees (together, “the Agreements”).

2. The Relators dismiss this action with prejudice as to themselves.

3. The United States of America dismisses with prejudice the claims concerning the Covered Conduct in the April 29, 2010 Settlement Agreement. The United States dismisses all other claims in this action without prejudice to the United States.

4. According to the terms of the Agreements, the Court retains jurisdiction over any disputes that may arise regarding compliance with them.

5. No answer has been served or filed, and no parties other than the United States and the Relators have appeared in this action.

IT IS SO STIPULATED.

Respectfully submitted,

TONY WEST
Assistant Attorney General

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: May 5, 2010

By: /s/ signature on file
SARA WINSLOW
STEVEN J. SALTIEL
Assistant United States Attorney
Attorneys for the United States of America

JANSSEN DOYLE, LLP and
TATRO TEKOSKY SADWICK LLP

DATED: May 5, 2010

By: /s/ signature on file
STEVEN R. TEKOSKY
Attorneys for Qui Tam Relators

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

1. This action is dismissed with prejudice as to Relators Robert Lalley, Courtney Davis, and William Manos.

2. Pursuant to the terms and conditions of the April 29, 2010 Settlement Agreement, the claims concerning the Covered Conduct are dismissed with prejudice as to the United States. All other claims in this action are dismissed without prejudice as to the United States.

3. The Court shall retain jurisdiction over any disputes that may arise regarding compliance with the parties' April 29, 2010 Settlement Agreement, and the separate agreement regarding Statutory Fees.

IT IS SO ORDERED.

Dated: May 10, 2010

